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C O N F I D E N T I A L SECTION 01 OF 03 SUVA 000057

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SUBJECT: FIJI UPDATE: ELECTIONS, CIV-MIL RELATIONS, ETC.

REF: SUVA 26

Classified By: Amb. Dinger; Sections 1.5, B and D.

#### Summary

11. (C) Fiji's general election may take place as early as late April. Political parties are gearing up. Opposition leader Chaudhry seems satisfied that complaints about electoral-registration are being resolved. Elections Commissioner Leung is confident a free and fair election can take place. However, Republic of Fiji Military Forces (RFMF) Commander Bainimarama is convinced the coming elections are already irretrievably rigged. He told us he intends to ensure the elections are postponed, preferably by Fiji's civilian leadership. We comment that both Bainimarama and the opposition Labor Party seem to take a relativistic view of "rule of law" when it comes to removing the current Qarase Government. If elections are imminent, Bainimarama will have to decide rapidly how to proceed. He knows full well the negative consequences of ordering an illegal act, including on relations with the U.S. Bainimarama wants a legal way out and will push for a civilian solution. If that doesn't happen to his satisfaction, tensions such as flamed in January may well recur.

12. (C) The dialogue between Bainimarama and Qarase mediated by Acting President Madraiwiwi in January (reftel) is ongoing. Qarase sees it as positive; Bainimarama says it is useless. President Iloilo's recent announcement that he will seek a second term pleased Bainimarama and disappointed Qarase. The PM's controversial reconciliation bill probably will not be enacted prior to early elections. Fiji's Police Commissioner reports that former PM Rabuka is likely to be indicted shortly on charges related to unrest in 2000. Others under investigation, including prominent Fiji diplomats, may escape prosecution. End Summary.

13. (C) The visit of EAP/ANP Director Krawitz to Suva Feb. 13-15 provided an opportunity to meet with senior Fiji leaders, including Jioji Kotobalavu, CEO in the Prime Minister's Office; Isikeli Mataitoga, CEO in the Ministry of Foreign Affairs; Opposition Leader Mahendra Chaudhry; Commander of the RFMF Frank Bainimarama; Police Commissioner Andrew Hughes; and Elections Commissioner Graham Leung. The following paragraphs are distilled from those conversations.

#### Election in late April?

14. (C) Police Commissioner Hughes said he had just heard definitively from Home Affairs Minister Vosanibula that Fiji's general election will take place in late April. PM CEO Kotobalavu was more coy, noting the election could come

anytime before August, with school holidays (to free up polling space) being shifted as necessary. Elections Commissioner Leung said he had informed the PM that necessary preparations could be in place by end of April. Commander Bainimarama currently believes the election will be later than May.

#### Parties gearing up; election-registration complaints fading

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15. (C) Even without a formal signal, political parties have been gearing up. Chaudhry's Fiji Labor Party (FLP) held its first election rally late last week. Chaudhry told us the FLP has selected all its candidates and is already focusing attention on the key constituencies it must win in order to take power. Chaudhry has publicly complained for months about alleged election-registration malfeasance. He told us he is currently satisfied with Elections Office efforts to correct problems. Leung acknowledged there has been some evidence of nepotism and ineffectiveness at lower levels of the elections machinery, but he said the latest registration figures indicate some 92% of eligible voters have registered, and the percentage is about the same for both of Fiji's major ethnic groups: Fijians and Indians.

#### Intense Bainimarama concern about rigged election

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16. (C) RFMF Commander Bainimarama is convinced, however, that the coming election has already been irredeemably rigged by PM Qarase and his SDL Party. As evidence, Bainimarama noted to us that Fiji's last census was in 1996, and the mandatory, ten-yearly one for 2006 has been delayed. Leung told us the delay is because "the system" was not adequately prepared to conduct a census in time for the coming 2006

SUVA 00000057 002 OF 003

election. Bainimarama, on the other hand, reported that his brother, who runs the statistics office, has been ready and willing to proceed on the census (which would take at least 6 months) but has been stymied. Bainimarama believes that, absent a proper census, there is no way electoral boundaries can be properly set and it is impossible to judge whether all eligible voters have been registered. Leung, who is admired by both Government and opposition leaders for his integrity and who is a close friend of Acting President Madraiwiwi, believes a fair election can be run despite the lack of current census figures.

17. (C) When we noted to Bainimarama that Fiji law requires an election to take place before November, making a census at this point almost impossible, he responded that something will have to be done. He made clear his view that Fiji cannot weather an election which wrongly places the current Qarase Government in office for another 5 years. When we reiterated USG views of the importance of the rule of law and civilian control, Bainimarama responded that he does not necessarily have to be the one who forces an electoral postponement. He suggested that an interim government could be installed, pending proper preparation of elections. We asked if he has conveyed his concerns to Acting President Madraiwiwi. Bainimarama said he had met yet again with Madraiwiwi on Feb. 14 and had indeed raised his concerns. ((Note: our understanding of Fiji law is that the general election must take place by November 2006.))

#### A comment: the rule of law and relativity

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18. (C) One of the mystifying aspects of Commander Bainimarama is his strong advocacy of the rule of law when it comes to prosecuting those who instigated the 2000 coups, but his apparent willingness to contemplate RFMF illegal action to remove the current government if it fails to meet his expectations. He does not at all appear to crave a military government though. He has suggested the intended outcome, if necessary, would be to install an interim civilian government pending new elections. Leadership of the opposition FLP seems to have a similarly relativist approach. The FLP

President, Mrs. Koroi, openly admitted to Fiji TV during the civil-military crisis in January that she would find it acceptable for the RFMF to remove the Qarase government and replace it with the pre-2000 Chaudhry government, to restore the previous status quo. Chaudhry publicly backed away from Mrs. Koroi's statement at the time; but privately he seemed to imply to the Ambassador and Krawitz that it might be justifiable for the RFMF to remove the Qarase government and install an interim replacement, pending fair elections.

PM-RFMF dialogue: mixed reviews

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¶9. (C) We heard from CEO Kotobalavu that the dialogue between PM Qarase and Commander Bainimarama, which both parties agreed to in a Jan. 16 meeting mediated by Madraiwiwi (reftel), is taking place every two weeks and has been useful. Kotobalavu suggested it is an outlet for the emotional Bainimarama to vent his feelings. When we asked Bainimarama his view of the dialogue, he said it has been of no use at all.

President Iloilo now seeks a second term - ramifications

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¶10. (C) A few days ago, Fiji President Iloilo announced that he is prepared to take a second term, to begin in March. This was rather a surprise, since rumor had it that the 85-year-old, who is in poor physical health, aspired to retire to his village. Acting President Madraiwiwi has informed us that Iloilo does not expect to serve another entire 5-year term, but he thinks he can add stability during a troubled time for Fiji, including for the coming elections. Bainimarama, who has had President Iloilo's support at crucial times, is very pleased by the news. CEO Kotobalavu gave us a clear impression the PM is much less enthusiastic. Kotobalavu blamed the RFMF and Chaudhry for encouraging Iloilo to stay on, a decision which "is not really good for the country." Fiji's President is selected by the Great Council of Chiefs, and some have speculated PM Qarase was angling behind the scenes for a "conservative," maybe current Fiji High Commissioner to Malaysia Adi Samanumu Cakobau. Adi Samanumu is anathema to Bainimarama, who is convinced she was a major instigator of the 2000 coup. Interestingly, Kotobalavu told us that, if Iloilo receives a second term (and under Fijian chiefly custom it would be very rude for the GCC to deny him that request once made), Vice President

SUVA 00000057 003 OF 003

Madraiwiwi would automatically serve out the term as President if Iloilo were to resign.

"The Bill" -- probably put aside for now

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¶11. (C) One of Bainimarama's major issues with the Qarase Government is the Reconciliation Bill (the Bill). Qarase has conveyed mixed messages about the future of the Bill publicly in recent days, most recently saying it will be passed by the current Parliament...if there is time before the elections. CEO Kotobalavu said the bill will not receive Parliamentary consideration before the elections. There simply isn't time to incorporate necessary amendments. However, Bainimarama retains suspicions.

More 2000-Coup indictments? Yes and no

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¶12. (C) An alleged motive for the Bill is that Qarase wanted to curry favor with Fijian conservative voters who hanker to see the release of those convicted of participating in Fiji's 2000 coup. In addition, some of the alleged instigators of events in 2000 remain under investigation. Police Commissioner Hughes told us former PM Rabuka is likely to be indicted soon for collaboration in a mutiny against Bainimarama in late 2000. Investigations into those who helped finance the May 2000 coup continue, but Hughes predicts no convictions will result. Evidence is not sufficiently clear. Investigations also continue against prominent Fijian chiefs, like current High Commissioners to

Malaysia (Cakobau) and PNG (Kabuabola), and against former Police Commissioner and now PermRep to the UN Savua. Hughes senses that, again, not enough proof will emerge in those cases.

Comment

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¶13. (C) Given Commander Bainimarama's view that the coming elections are bound to be corrupted, and given what we are hearing about the late April election date, Bainimarama is facing decision time. Without doubt he knows that trying to take the law into his own hands to stop elections would have serious repercussions. As previously reported (reftel), events of January may well have instilled doubt in Bainimarama's mind whether the RFMF would follow him if he were to attempt illegal acts. He also certainly understands that Fiji's international reputation and tourist economy would suffer from such. Down to home, he knows U.S. military assistance to Fiji would be severed. Interestingly, when we asked how plans are coming along for next September's Pacific Armies Management Seminar (PAMS) to be held in Fiji, Bainimarama responded that plans are coming along well..."if it happens." Might that be an acknowledgment that illegally stopping the election would surely stop things like PAMS as well? Bainimarama told us 2006 will bring three important events from the RFMF perspective: selecting the new President; the general election; and PAMS.

¶14. (C) We truly believe Bainimarama wants a legal way out of the box he is in. Thus, he will push for a "civilian" solution in discussions with the Acting President and others. The hanging question, though, is what happens if legal election requirements and civilian-leaders' judgments result in the civilian option not coming through.  
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